

Testimony of
The Honorable Kenneth Y. Tomlinson

I come to you this morning as an individual who supports federal funding for public broadcasting.

I believe that education-based children's programming represents one of the most critical responsibilities for public broadcasters. We need to produce programming that will inspire children from all walks of life to want to read - to want to acquire knowledge about our nation's history and our own civic responsibilities. Taking a cue from Tom Friedman, we also should be inspiring interest in math and science, because surely we must recognize we live in a world that is flat.

The cultural programs - the great performances that in recent years have been produced by WNET in New York - are an important part of the mandate of public broadcasting. The current affairs programs coming from WETA - I speak specifically for the tradition of journalistic excellence that is the history of the NewsHour with Jim Lehrer - merit our support. So, too, is the excellent programming that has come to us over the years from WGBH in Boston.

The clock is ticking on the deadline for funding a new interconnection system for public broadcasting. The opportunities presented by a transition to digital broadcasting will open exciting new doors for the public broadcasting system.

In recent months I have asserted over and over again that you cannot understand the case for federal support of public broadcasting until you see the fruits of these services in states like North Carolina, Kentucky, and South Dakota. If you want to get an idea of the digital future of public broadcasting, go to North Carolina and see, thanks to public support for a bond issue, four channels that make public broadcasting far more relevant and far more valuable to the people of that state.

I would be remiss this morning, however, if I failed to address issues surrounding my work to meet the legal mandate that Congress placed on CPB to require political balance. Listen to Section 19 of the law that governs what we do: CPB shall facilitate the development of programs "of high quality, diversity, creativity, excellence, and innovation, which are obtained from diverse sources, will be made available to public telecommunications entities, with strict adherence to objectivity and balance in all programs or series of programs of a controversial nature..."

I did not initiate the controversy over balance, and I am the first to recognize this controversy has not been good for the health of public broadcasting. So allow me to review the actions that I have taken to encourage political balance for the sake of encouraging a wide base of support for what we do.

In late 2003, I went to the leadership of PBS to make the point that NOW with Bill Moyers had become a symbol of our ignoring our legal mandate to require balance. It was not that Bill

Moyers work does not represent outstanding political advocacy broadcasting. I did not ask for a moment of the show to be removed from public broadcasting schedules. My point was that law requires a diversity of opinions, and on Friday evenings, public broadcasting would do well to reflect conservative points of view as it did so eloquently liberal points of view.

When PBS leadership asserted NOW to be balanced, I asked that a consultant review six months of the program and assess the political direction of the program's content. Later, I would ask the consultant to review other programs on public broadcasting to illustrate that unlike NOW they reflected diverse political opinions. The contract for this consultant was processed under the supervision of CPB staff and our General Counsel according to CPB rules and regulations. I had never known CPB board members to be involved in approving contracts with consultants - and I had observed any of a number of consultants brought in by CPB executive leadership to do similar tasks - so I did not run this issue by the board. At no time did I make any effort to keep the contract secret from my fellow board members.

Much has been made in recent days over the classifications of viewpoints expressed by Senator Chuck Hagel and former Congressman Robert Barr. As the researcher's work illustrates, Bill Moyers did not invite Senator Hagel on his show to give him a platform for advocating his belief that free trade is critical to the success of U.S. foreign policy. That would have run counter to Bill Moyers' deeply held beliefs that, by the way, were frequently given time on his program. No, Senator Hagel was asked to come to the Moyers show to talk about aspects of the war in Iraq that differed from the positions of President Bush.

Bob Barr was not invited on NOW to discuss his political philosophy that largely is in conflict with Mr. Moyers' position. Bob Barr was on the Moyers program to attack the Patriot Act, which not coincidentally, Bill Moyers questioned.

Again, there is an important audience for the liberal advocacy journalism that is Bill Moyers. The law, however, requires CPB to encourage balance when such programming is presented.

Fortunately the board leadership of PBS recognized that Friday evening programming should reflect diverse points of view. When it was clear that PBS was following through on this commitment, I ended the study and did not make it public because to do so would have called attention to the fact that for nearly two years public broadcasting ignored our legal responsibility for presenting diverse viewpoints on controversial issues.

All of this occurred more than a year ago. So why did the issue become a staple in certain press venues in recent months? The answer to that question lies in the politics of public broadcasting - as well as the politics of year 2005. But one thing is certain. The more this debate continues, the more we jeopardize future public support for public broadcasting.

Clearly, it is time for us to lay aside partisanship, seek popular consensus for what public broadcasting should be doing, and go forward to meet the challenges that lie ahead.

I look forward to responding to any questions that the Senators might have.